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FILED IN UNITED STATES DISTRICT
COURT, DISTRICT OF UTAH
APR 01 2013
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UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

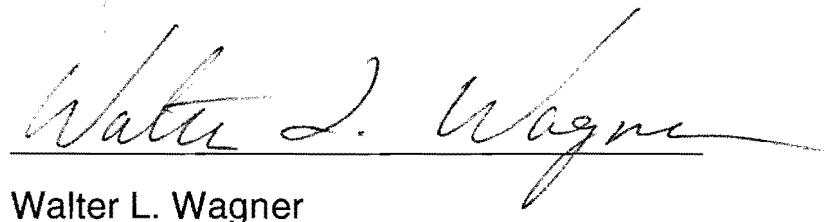
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|-------------------------------|---|----------------------------------------|
| WALTER L. WAGNER, |) | Case: 2:11-cv-784-RJS-PMW |
| |) | |
| Plaintiff |) | NOTICE OF PENDING STAY |
| |) | IN HAWAII CASE |
| vs. |) | |
| |) | |
| PRESTON MICHIE, KENNETH |) | |
| FRANCICK, LESLIE COBOS, MARK |) | |
| ROBINSON, ANNETTE EMERSON |) | |
| STEVE BRYANT, WORLD BOTANICAL |) | |
| GARDENS, INC. (WBGI), |) | District Judge Robert J. Shelby |
| |) | |
| Defendants |) | Magistrate Judge Paul Warner |
| |) | |

NOTICE OF PENDING STAY IN HAWAII CASE

Attached herewith is a true and correct copy of a request for a stay of the Hawaii state action filed for hearing at an April 5, 2013 Rule 16 (pre-trial) conference.

It is anticipated that the Hawaii action will be stayed pending the results of the instant federal action. The defendants in the instant action have requested a stay of these proceedings pending the outcome of the Hawaii state action.

DATED: MARCH 27, 2013


Walter L. Wagner

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